

NEPA and the Environmental Impact Statement (EIS)

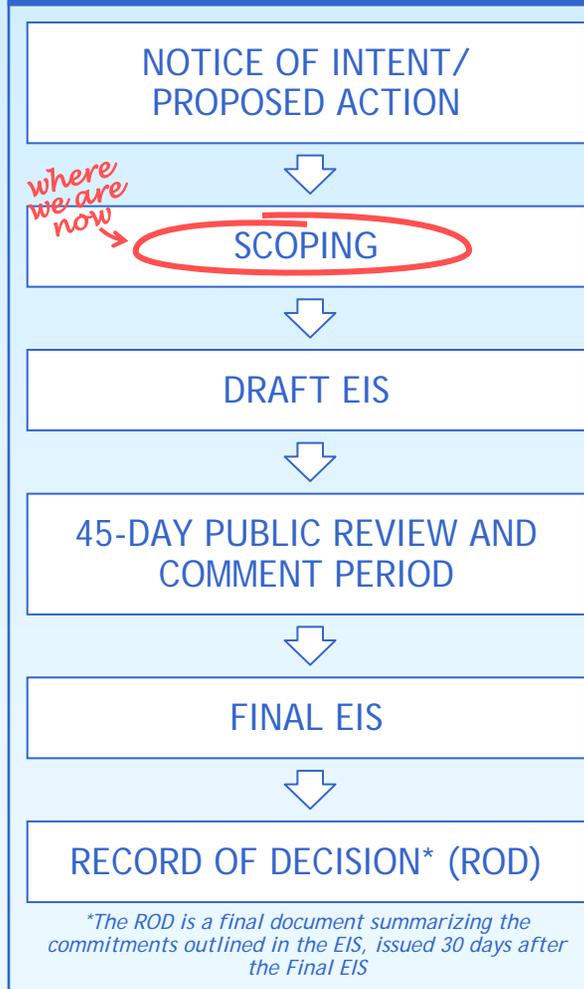
What is an EIS?

- An EIS is a document that provides full and fair discussion of significant environmental impacts of a Proposed Action.
- Describes reasonable alternatives which would avoid or minimize adverse impacts to the natural and human environment.
- Required by law (NEPA)

What is NEPA?

- National Environmental Policy Act
- NEPA is our nation's basic charter for protection of the environment. It establishes policy, sets goals, and provides means for carrying out the policy.
- Requires that all federal projects be reviewed for their potential adverse effects upon the environment.
- Provides for public participation in the decision-making process.

The NEPA EIS Process



Components of an EIS:

- Purpose and Need
- Proposed Action and Alternatives
- Affected Environment
- Potential Environmental Consequences and Mitigations
- Consideration of Public Input

What is Scoping?

- Scoping is a process for determining the nature and potential significance of issues to be addressed in the EIS.
- Purpose:
 - Introduce the Proposed Action.
 - Obtain stakeholder* input on concerns or issues.
 - Help determine the range of issues to be addressed in the EIS.
 - Help determine the significance of the issues.
 - Help determine potential alternatives.

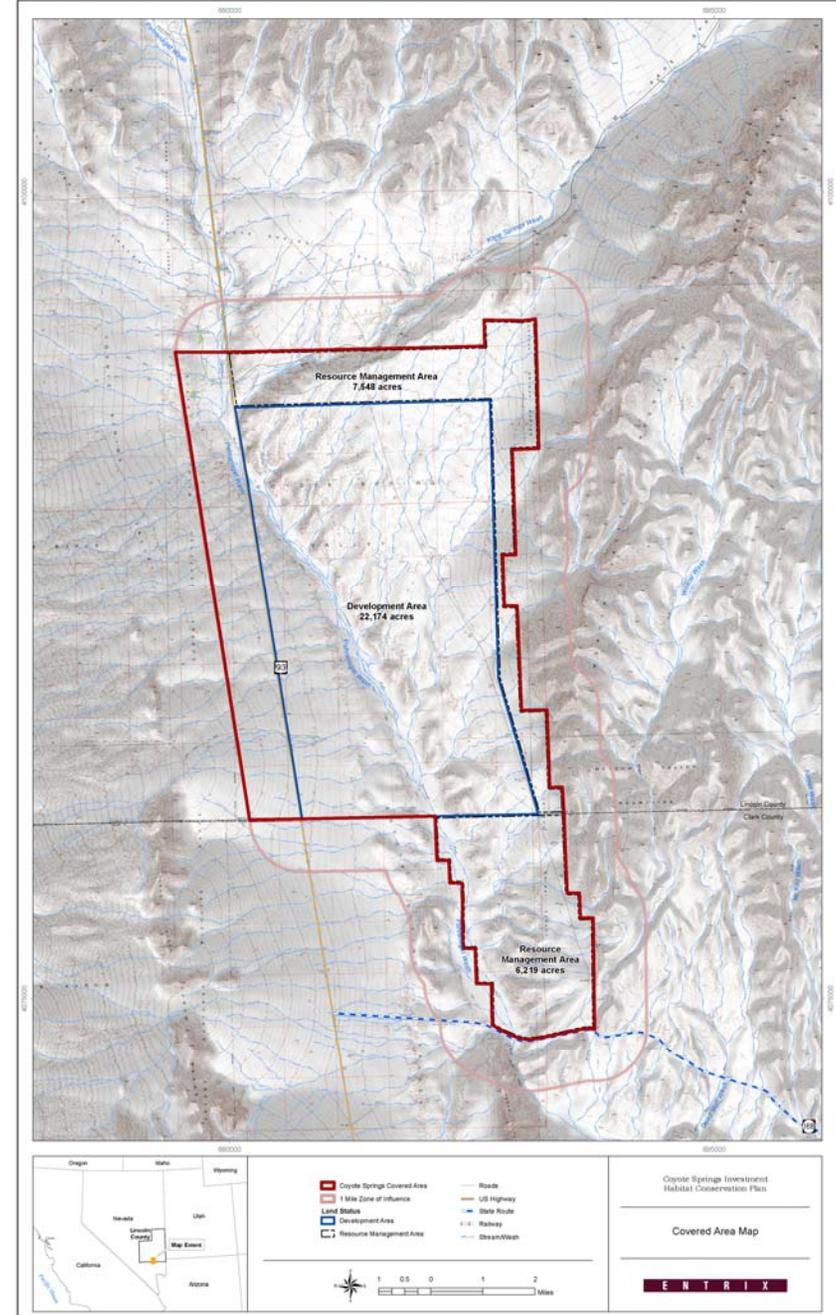
**Stakeholders include the general public, tribes, special interest groups, and public agencies*

Proposed Action and Covered Area



What is the Proposed Action?

- Coyote Springs Investment LLC (CSI) has proposed development on some or all of its 22,174 acres of privately-owned land in Lincoln County, Nevada, for the purpose of creating a planned community. The community would include residential and commercial development and associated infrastructure and utilities. Resource management areas would also be designated to provide protection to species and habitats.
- Because these activities have the potential to affect desert tortoise and other threatened and endangered species, a **multi-species habitat conservation plan** is being prepared by CSI in consultation with U.S. Fish and Wildlife Service for the area as part of an incidental take permit application to the U.S. Fish and Wildlife Service (lead agency in NEPA process).
- The CSI lands also contain waters of the United States. Activities within these areas involving dredging or placement of fill would require a section 404 permit from the U.S. Army Corps of Engineers (partnering agency in NEPA process).



Proposed Activities



Proposed Covered Activities

- Community development and Construction activities
- Recreational facilities and open space
- Utility infrastructure
- Water supply use and management
- Flood control measures
- Resource management features
- Adaptive management plan

Proposed Conservation Measures

- Desert tortoise/banded Gila monster
 - Surveys, fencing, and translocation
 - Funding species research and monitoring
 - Adaptive management
 - Invasive plant control and fire management
 - Coyote Springs Resource Management Area
 - Construction best management practices
- Moapa dace/Virgin River chub
 - Implement groundwater flow monitoring under the Muddy River MOA
 - Commit 5% of existing and future water rights for Moapa dace
 - Additional measures outlined in MOA
- Waters of the United States
 - Best management practices
 - Enhancement/restoration of dry wash habitat
 - Conservation easements along Pahrangat Wash and other desert dry washes

Proposed Covered Species – Within Covered Area

Desert Tortoise

- The Mojave population of the desert tortoise includes those animals living north and west of the Colorado River in the Mojave Desert of California, Nevada, Arizona, southwestern Utah, and in the Sonoran Desert in California.
- On June 28, 1994, the USFWS approved the final Desert Tortoise (Mojave Population) Recovery Plan (Recovery Plan). The Recovery Plan divides the range of the desert tortoise into 6 recovery units and recommends establishment of 14 Desert Wildlife Management Areas (DWMAs) throughout the recovery units.
- In Nevada, BLM's Las Vegas, Ely, and Battle Mountain field offices manage desert tortoise habitat; 941,800 acres of desert tortoise habitat were designated as ACECs by the Las Vegas and Ely field offices.
- On February 8, 1994, the USFWS designated approximately 1.22 million acres of critical habitat for the Mojave population of the desert tortoise in portions of Nevada.



- The Covered Area is located within the Northeastern Mojave Recovery Unit which is situated primarily in Nevada.
- Within the Covered Area, 34,980.5 acres (including resource management area acres) of potential desert tortoise habitat have been identified, based on desert tortoise wildlife habitat relationship models created by the Southwestern Regional Gap Analysis Project.

Proposed Covered Species – Within Covered Area

Banded Gila Monster

- The banded Gila monster ranges from the Vermillion Cliffs (Washington County), Utah southward through the lower Colorado River basin, including extreme southern Nevada, southeastern California, and Arizona west of the Central Plateau to Yuma.
- Considered imperiled by the state of Nevada and has been identified by BLM as a sensitive species. It was previously a candidate for listing under the Endangered Species Act (removed in 1996).
- In Nevada, the banded Gila monster is known to occur in Clark, Lincoln, and Nye counties.



- Within the Covered Area, 34,402.2 acres (including resource management area acres) of potential banded Gila monster habitat has been identified, based on wildlife habitat relationship models created by the Southwestern Regional Gap Analysis Project.
- Status of the banded Gila monster is unknown in the Covered Area, but a collaborative initiative has commenced among the Nevada Department of Wildlife, Nevada Biodiversity Initiative, and Clark County Multi-species Habitat Conservation Plan program.

Proposed Covered Species - Outside Covered Area

Moapa Dace

- Moapa dace is endemic to the headwaters of the Warm Springs Area in Clark County and is currently present in approximately 5.6 miles of habitat in the Upper Muddy River system.
- The species was listed as endangered under the Endangered Species Preservation Act of 1966.
- In 1996, the USFWS approved the Recovery plan for the rare aquatic species of the Muddy River ecosystem, which included the Moapa dace.
 - Recovery actions for Moapa dace included the protection of existing instream flows and historical habitat in three of five occupied spring systems and the Upper Muddy River; conducting management activities; monitoring Moapa dace population; researching population health; and providing public education.
- The Moapa Valley National Wildlife Refuge (MVNWR), a 106-acre area of springs and wetlands located in the Warm Springs Area of the Upper Moapa Valley, was established in 1979 for the protection of Moapa dace.



- The Covered Area does not include habitat for Moapa dace, but groundwater withdrawal could potentially indirectly affect habitat in the Warm Springs Area and headwaters of the Muddy River.
- No critical habitat has been identified for the Moapa dace.
- Approximately 95 percent of the total population occurs within one major tributary that includes 1.78 miles of spring complexes.
- Survey data from 2005 indicate that there are approximately 1,300 fish in the population.

Proposed Covered Species – Outside Covered Area

Virgin River Chub

- The Virgin River chub is endemic to 134 miles of the Virgin River in southwest Utah, northwest Arizona, and southeast Nevada. Historically, the Virgin River chub is believed to have occurred throughout most of the Virgin River from its original confluence with the mainstem Colorado upstream to La Verkin Creek, near the town of Hurricane, Utah.
- Virgin River population listed as Endangered, without critical habitat on August 24, 1989. The Muddy River population was not listed, but taxonomically is the same species.
- In April 1995, a recovery plan for the Virgin River population was approved. The Muddy River population was included as a species of special concern in the Recovery plan for the rare aquatic species of the Muddy River ecosystem (1996).
- Critical habitat has been designated for the Virgin River population only.



- The Covered Area does not include any habitat for the Virgin River chub, but actions could potentially indirectly affect the Muddy River population's habitat downstream.
- Near the Covered Area, the Virgin River chub occurs within a 26-mile stretch (between the Warm Springs area and the Wells Siding Diversion to Bowman Reservoir) of the Muddy River in Clark County, and the mainstream Virgin River that flows through eastern Lincoln and Clark counties.
- As of 1995, there were still up to 30,000 individuals inhabiting the Muddy River and its spring systems; however, surveys in 1998 documented a significant decline in chub numbers in the river and the extirpation of chub from the spring systems.

Affected Environment

Resource Topics being considered in the EIS

- Natural

- Biological Resources

- Vegetation
 - Wildlife
 - Threatened and Endangered Species

- Water Resources

- Hydrology
 - Water Quality
 - Water Resource Development
 - Waters of the United States

- Air Quality

- Geology and Soils

- Cultural

- Human

- Human Health and Safety
 - Recreation Resources
 - Public Services
 - Socioeconomics, including Population and Housing
 - Transportation/Circulation
 - Noise
 - Hazardous Materials
 - Visual Resources

- Cumulative Impacts

Additional Information

To provide written comments

If you would like to provide written comments on the information presented tonight, please fill out a comment card and turn it in at the registration table before you leave today.

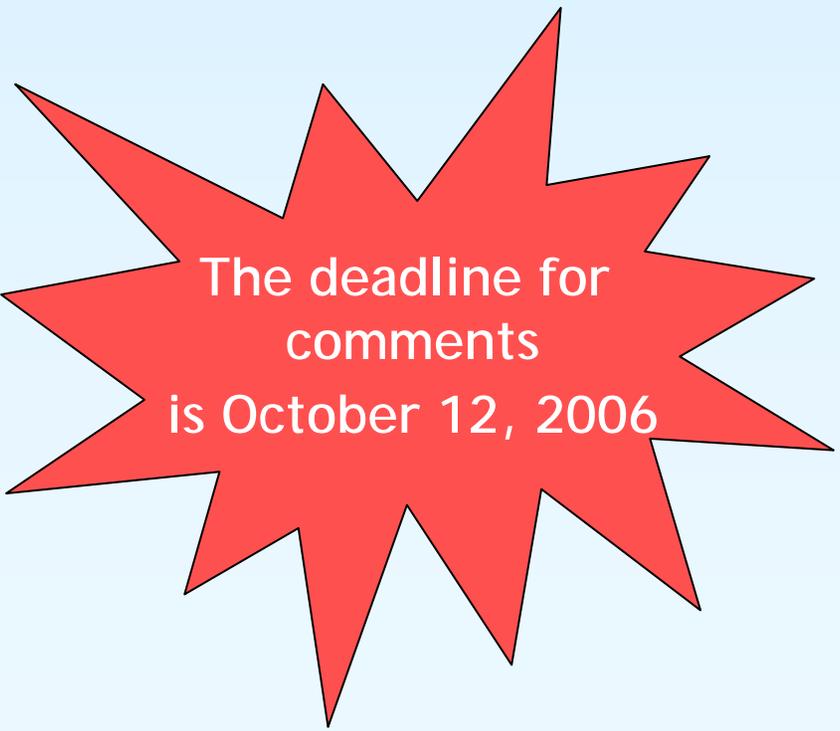
Written comments can also be sent by mail (see "How to contact us" at right).

To receive more information or to be added to the mailing list

If you are interested in obtaining more information, please call Bob Williams of the U.S. Fish and Wildlife Service at 775-861-6300 or send your request via mail to the address listed below.

How to contact us

Attn: Robert D. Williams
Nevada Fish and Wildlife Office
1340 Financial Boulevard, Suite 234
Reno, NV 89502



The deadline for
comments
is October 12, 2006